

REFERENCE TITLE: **teachers; certification reciprocity**

State of Arizona  
House of Representatives  
Forty-eighth Legislature  
First Regular Session  
2007

## **HB 2715**

Introduced by  
Representatives Pancrazi, Gallardo, Kirkpatrick, Saradnik, Schapira,  
Sinema, Senators Aguirre, Gray L: Representatives Anderson, Brown,  
Campbell CH, Campbell CL, DeSimone, Lopes, Lopez, McGuire, Meza,  
Prezelski, Thrasher

**AN ACT**

**AMENDING SECTIONS 15-203 AND 15-533, ARIZONA REVISED STATUTES; RELATING TO  
TEACHER CERTIFICATION.**

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:

2 Section 1. Section 15-203, Arizona Revised Statutes, is amended to  
3 read:

4 15-203. Powers and duties

5 A. The state board of education shall:

6 1. Exercise general supervision over and regulate the conduct of the  
7 public school system and adopt any rules and policies it deems necessary to  
8 accomplish this purpose.

9 2. Keep a record of its proceedings.

10 3. Make rules for its own government.

11 4. Determine the policy and work undertaken by it.

12 5. Appoint its employees, on the recommendation of the superintendent  
13 of public instruction.

14 6. Prescribe the duties of its employees if not prescribed by statute.

15 7. Delegate to the superintendent of public instruction the execution  
16 of board policies and rules.

17 8. Recommend to the legislature changes or additions to the statutes  
18 pertaining to schools.

19 9. Prepare, publish and distribute reports concerning the educational  
20 welfare of this state.

21 10. Prepare a budget for expenditures necessary for proper maintenance  
22 of the board and accomplishment of its purposes and present the budget to the  
23 legislature.

24 11. Aid in the enforcement of laws relating to schools.

25 12. Prescribe a minimum course of study in the common schools, minimum  
26 competency requirements for the promotion of pupils from the third grade and  
27 minimum course of study and competency requirements for the promotion of  
28 pupils from the eighth grade. The state board of education shall prepare a  
29 fiscal impact statement of any proposed changes to the minimum course of  
30 study or competency requirements and, on completion, shall send a copy to the  
31 director of the joint legislative budget committee and the executive director  
32 of the school facilities board. The state board of education shall not adopt  
33 any changes in the minimum course of study or competency requirements in  
34 effect on July 1, 1998 that will have a fiscal impact on school capital  
35 costs.

36 13. Prescribe minimum course of study and competency requirements for  
37 the graduation of pupils from high school. The state board of education  
38 shall prepare a fiscal impact statement of any proposed changes to the  
39 minimum course of study or competency requirements and, on completion, shall  
40 send a copy to the director of the joint legislative budget committee and the  
41 executive director of the school facilities board. The state board of  
42 education shall not adopt any changes in the minimum course of study or  
43 competency requirements in effect on July 1, 1998 that will have a fiscal  
44 impact on school capital costs.

1       14. Supervise and control the certification of persons engaged in  
2 instructional work directly as any classroom, laboratory or other teacher or  
3 indirectly as a supervisory teacher, speech therapist, principal or  
4 superintendent in a school district, including school district preschool  
5 programs, or any other educational institution below the community college,  
6 college or university level, and prescribe rules for certification, including  
7 rules for certification of teachers who have teaching experience and who are  
8 trained in other states, which are not unnecessarily restrictive and are  
9 substantially similar to the rules prescribed for the certification of  
10 teachers trained in this state. The rules shall require applicants for all  
11 certificates for common school instruction to complete a minimum of  
12 forty-five classroom hours or three college level credit hours, or the  
13 equivalent, of training in research based systematic phonics instruction from  
14 a public or private provider. The rules shall not require a teacher to  
15 obtain a master's degree or to take any additional graduate courses as a  
16 condition of certification or recertification. The rules shall allow a  
17 general equivalency diploma to be substituted for a high school diploma in  
18 the certification of emergency substitute teachers.

19       15. Adopt a list of approved tests for determining special education  
20 assistance to gifted pupils as defined in and as provided in chapter 7,  
21 article 4.1 of this title. The adopted tests shall provide separate scores  
22 for quantitative reasoning, verbal reasoning and nonverbal reasoning and  
23 shall be capable of providing reliable and valid scores at the highest ranges  
24 of the score distribution.

25       16. Adopt rules governing the methods for the administration of all  
26 proficiency examinations.

27       17. Adopt proficiency examinations for its use. The state board of  
28 education shall determine the passing score for the proficiency examination.

29       18. Include within its budget the cost of contracting for the purchase,  
30 distribution and scoring of the examinations as provided in paragraphs 16 and  
31 17 of this subsection.

32       19. Supervise and control the qualifications of professional  
33 nonteaching school personnel and prescribe standards relating to  
34 qualifications.

35       20. Impose such disciplinary action, including the issuance of a letter  
36 of censure, suspension, suspension with conditions or revocation of a  
37 certificate, upon a finding of immoral or unprofessional conduct.

38       21. Establish an assessment, data gathering and reporting system for  
39 pupil performance as prescribed in chapter 7, article 3 of this title.

40       22. Adopt a rule to promote braille literacy pursuant to section  
41 15-214.

42       23. Adopt rules prescribing procedures for the investigation by the  
43 department of education of every written complaint alleging that a  
44 certificated person has engaged in immoral conduct.

24. For purposes of federal law, serve as the state board for vocational and technological education and meet at least four times each year solely to execute the powers and duties of the state board for vocational and technological education.

25. Develop and maintain a handbook for use in the schools of this state that provides guidance for the teaching of moral, civic and ethical education. The handbook shall promote existing curriculum frameworks and shall encourage school districts to recognize moral, civic and ethical values within instructional and programmatic educational development programs for the general purpose of instilling character and ethical principles in pupils in kindergarten programs and grades one through twelve.

26. Require pupils to recite the following passage from the declaration of independence for pupils in grades four through six at the commencement of the first class of the day in the schools, except that a pupil shall not be required to participate if the pupil or the pupil's parent or guardian objects:

We hold these truths to be self-evident, that all men are created equal, that they are endowed by their creator with certain unalienable rights, that among these are life, liberty and the pursuit of happiness. That to secure these rights, governments are instituted among men, deriving their just powers from the consent of the governed. . . .

27. Adopt rules that provide for teacher certification reciprocity. The rules shall provide for a ~~one-year~~ reciprocal teaching certificate ~~with minimum requirements including~~ **THAT SHALL ONLY REQUIRE A** valid teacher certification from a state with substantially similar criminal history or teacher fingerprinting requirements and proof of the submission of an application for a fingerprint clearance card pursuant to title 41, chapter 12, article 3.1.

28. Adopt rules that will be in effect until December 31, 2006 and that provide for the presentation of an honorary high school diploma to a person who has never obtained a high school diploma and who meets each of the following requirements:

(a) Is at least sixty-five years of age.

(b) Currently resides in this state.

(c) Provides documented evidence from the Arizona department of veterans' services that the person enlisted in the armed forces of the United States before completing high school in a public or private school.

(d) Was honorably discharged from service with the armed forces of the United States.

29. Cooperate with the Arizona-Mexico commission in the governor's office and with researchers at universities in this state to collect data and conduct projects in the United States and Mexico on issues that are within the scope of the duties of the department of education and that relate to quality of life, trade and economic development in this state in a manner

1 that will help the Arizona-Mexico commission to assess and enhance the  
2 economic competitiveness of this state and of the Arizona-Mexico region.

3 30. Adopt rules to define and provide guidance to schools as to the  
4 activities that would constitute immoral or unprofessional conduct of  
5 certificated persons.

6 31. Adopt guidelines to encourage pupils in grades nine, ten, eleven  
7 and twelve to volunteer for twenty hours of community service before  
8 graduation from high school. A school district that complies with the  
9 guidelines adopted pursuant to this paragraph is not liable for damages  
10 resulting from a pupil's participation in community service unless the school  
11 district is found to have demonstrated wanton or reckless disregard for the  
12 safety of the pupil and other participants in community service. For the  
13 purposes of this paragraph, "community service" may include service learning.  
14 The guidelines shall include the following:

15 (a) A list of the general categories in which community service may be  
16 performed.

17 (b) A description of the methods by which community service will be  
18 monitored.

19 (c) A consideration of risk assessment for community service projects.

20 (d) Orientation and notification procedures of community service  
21 opportunities for pupils entering grade nine including the development of a  
22 notification form. The notification form shall be signed by the pupil and  
23 the pupil's parent or guardian, except that a pupil shall not be required to  
24 participate in community service if the parent or guardian notifies the  
25 principal of the pupil's school in writing that the parent or guardian does  
26 not wish the pupil to participate in community service.

27 (e) Procedures for a pupil in grade nine to prepare a written proposal  
28 that outlines the type of community service that the pupil would like to  
29 perform and the goals that the pupil hopes to achieve as a result of  
30 community service. The pupil's written proposal shall be reviewed by a  
31 faculty advisor, a guidance counselor or any other school employee who is  
32 designated as the community service program coordinator for that school. The  
33 pupil may alter the written proposal at any time before performing community  
34 service.

35 (f) Procedures for a faculty advisor, a guidance counselor or any  
36 other school employee who is designated as the community service program  
37 coordinator to evaluate and certify the completion of community service  
38 performed by pupils.

39 32. To facilitate the transfer of military personnel and their  
40 dependents to and from the public schools of this state, pursue, in  
41 cooperation with the Arizona board of regents, reciprocity agreements with  
42 other states concerning the transfer credits for military personnel and their  
43 dependents. A reciprocity agreement entered into pursuant to this paragraph  
44 shall:

1 (a) Address procedures for each of the following:  
2 (i) The transfer of student records.  
3 (ii) Awarding credit for completed course work.  
4 (iii) Permitting a student to satisfy the graduation requirements  
5 prescribed in section 15-701.01 through the successful performance on  
6 comparable exit-level assessment instruments administered in another state.  
7 (b) Include appropriate criteria developed by the state board of  
8 education and the Arizona board of regents.  
9 33. Adopt guidelines that school district governing boards shall use in  
10 identifying pupils who are eligible for gifted programs and in providing  
11 gifted education programs and services. The state board of education shall  
12 adopt any other guidelines and rules that it deems necessary in order to  
13 carry out the purposes of chapter 7, article 4.1 of this title.  
14 B. The state board of education may:  
15 1. Contract.  
16 2. Sue and be sued.  
17 3. Distribute and score the tests prescribed in chapter 7, article 3  
18 of this title.  
19 4. Provide for an advisory committee to conduct hearings and  
20 screenings to determine whether grounds exist to impose disciplinary action  
21 against a certificated person, whether grounds exist to reinstate a revoked  
22 or surrendered certificate and whether grounds exist to approve or deny an  
23 initial application for certification or a request for renewal of a  
24 certificate. The board may delegate its responsibility to conduct hearings  
25 and screenings to its advisory committee. Hearings shall be conducted  
26 pursuant to title 41, chapter 6, article 6.  
27 5. Proceed with the disposal of any complaint requesting disciplinary  
28 action or with any disciplinary action against a person holding a certificate  
29 as prescribed in subsection A, paragraph 14 of this section after the  
30 suspension or expiration of the certificate or surrender of the certificate  
31 by the holder.  
32 6. Assess costs and reasonable attorney fees against a person who  
33 files a frivolous complaint or who files a complaint in bad faith. Costs  
34 assessed pursuant to this paragraph shall not exceed the expenses incurred by  
35 the state board in the investigation of the complaint.  
36 Sec. 2. Section 15-533, Arizona Revised Statutes, is amended to read:  
37 15-533. Proficiency examination  
38 A. To qualify for either a basic or standard teaching certificate, or  
39 equivalent certificate later adopted by the state board of education, a  
40 person must pass each component of the proficiency examination developed and  
41 administered by the state board of education. The proficiency examination  
42 shall consist of only a professional knowledge test and a subject knowledge  
43 test. ~~A person is not required to take a component of the examination if the~~  
44 ~~person has passed a component on a proficiency examination which has been~~  
45 ~~adopted by a state board of education or equivalent agency in another state~~

1 ~~and which has been determined to be equivalent to the applicable component on~~  
2 ~~the examination prescribed in this section by the state board of education in~~  
3 ~~this state. The state board of education may grant a basic or standard~~  
4 ~~teaching certificate for not to exceed one year to a teacher who is a~~  
5 ~~nonresident and who has not met the requirement of this section at the time~~  
6 ~~of application.~~

7 B. A person is not required to pass the proficiency examination or the  
8 equivalent examination more than once, except that a person who passed the  
9 examination seven or more years before qualifying to teach in this state is  
10 required to repass the examination. A PERSON WHO IS GRANTED A RECIPROCAL  
11 TEACHING CERTIFICATE UNDER RULES ADOPTED BY THE STATE BOARD OF EDUCATION  
12 PURSUANT TO SECTION 15-203 IS NOT REQUIRED TO PASS THE PROFICIENCY  
13 EXAMINATION DEVELOPED AND ADMINISTERED IN THIS STATE BY THE STATE BOARD OF  
14 EDUCATION.